

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)

v.)

LEIGH ROHAN)

CR. NO. 2:05-cr-155-T

UNDER SEAL

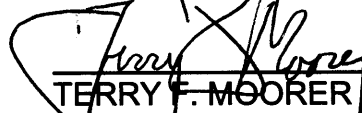
GOVERNMENT'S MOTION FOR DOWNWARD DEPARTURE
PURSUANT TO § 5K1.1, UNITED STATES SENTENCING GUIDELINES

COMES NOW the United States of America, by and through Leura Garrett Canary, United States Attorney for the Middle District of Alabama, and files the above-captioned motion, and as reasons therefore, submits the following:

1. Defendant entered a plea of guilty pursuant to a plea agreement under Rule 11(c)(1)(C) to an indictment charging violation of Title 21, United States Code, Section 846.
2. Defendant agreed to cooperate with the Government in the instant cause and in subsequent investigations as necessary, and to waive her rights to appeal or collaterally attack the guilty plea or sentence.
3. The United States submits the defendant has cooperated with the United States and has abided by the terms of his plea agreement. The assistance provided by the defendant should be considered substantial.
4. The Government is satisfied that the defendant is entitled to be considered for a reduction of sentence under § 5K1.1 U.S.S.G., and moves this Court to downwardly depart and impose a sentence of 41 months imprisonment which is in accordance with the plea agreement.
5. The government requests that this motion be sealed.

Respectfully submitted, this the 10th day of January, 2006.

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read "Terry F. Moorner", is written over a horizontal line.

TERRY F. MOORER
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, AL 36104
Phone: (334)223-7280
Fax: (334)223-7135
E-mail: terry.moorer@usdoj.gov
ASB-1176-O73T

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)

v.)

LEIGH ROHAN)

CR. NO. 2:05-cr-155-T

UNDER SEAL

CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2006, I served counsel notification of filing by depositing a copy of same in the United States mail, first class, postage prepaid, and properly addressed to: Paul R. Cooper, Esquire.

Respectfully submitted,


TERRY F. MOORER

Assistant United States Attorney
One Court Square, Suite 201

Montgomery, AL 36104

Phone: (334)223-7280

Fax: (334)223-7135

E-mail: terry.moorer@usdoj.gov

ASB-1176-O73T